

EXHIBIT H

Transcribed Trial Testimony of Craig
Jacklyn that was video recorded and
played for the Jury

Craig Jacklyn - Stipulated

Designation List Report



Jacklyn, Craig

2021-04-14

Stipulated Designations	00:23:48
Objected Designations	00:00:41
TOTAL RUN TIME	00:24:30



OSI2V2 - Craig Jacklyn - Stipulated

DESIGNATION	SOURCE	DURATION	ID
11:23 - 16:18	Jacklyn, Craig 2021-04-14	00:05:17	OSI2V2.1
11:23	Q. Okay. So, Officer Jacklyn,		
11:24	obviously I want to ask you some questions about		
12:01	what happened in that incident in Suburban Station		
12:02	back in August of 2019.		
12:03	Before I do that, I'd like to ask		
12:04	you some general questions about your background,		
12:05	both in law enforcement, military also I believe,		
12:06	and then your firearms experience, your training		
12:07	in firearms.		
12:08	I'll start with your, I believe,		
12:09	your military background. Can you describe that?		
12:10	A. Yes. I have an extensive military		
12:11	background spanning 17 years. I spent six years,		
12:12	my first six years, in the Army as a military		
12:13	police officer and then got out for a short period		
12:14	of time and rejoined the military, the U.S.		
12:15	Marine Corps, as an infantryman.		
12:16	During my time in the Marine Corps,		
12:17	I had extensive training with weapons superseding		
12:18	the normal infantry background.		
12:19	I was a special operator with FAST		
12:20	company as a trainer in Norfolk, Virginia and I		
12:21	was also with the infantry battalions.		
12:22	Q. When you say you were a special		
12:23	operator, Officer, can you explain that or		
12:24	elaborate on that a little bit?		
13:01	A. Yes. I actually trained		
13:02	individuals for the fleet antiterrorist security		
13:03	teams. Basically they safeguard nuclear weapons		
13:04	and they have to have all types of marksmanship		
13:05	experience and training in order to do that.		
13:06	Q. And you gave them that training?		
13:07	A. Yes. I was part of the cadre that		
13:08	trained them during those times.		
13:09	Q. Is this the Army? Is this a branch		
13:10	of the Army?		
13:11	A. Marine Corps.		
13:12	Q. Marine Corps. So you are a Marine,		
13:13	Officer, former Marine?		

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DESIGNATION	SOURCE	DURATION	ID
13:14	A. Yes. I'm a former Marine.		
13:15	Q. What kind of -- in connection with		
13:16	the special operator training that you did, what		
13:17	kind of weapons were being handled and used and		
13:18	fired?		
13:19	A. We use -- we train in a variety of		
13:20	weapons superseding what the normal equipment the		
13:21	Marine Corps had. You had the MC T 82 (phonetic),		
13:22	which we handled.		
13:23	We handled the Beretta. We handled		
13:24	MP5s. We handled shotguns. I also was		
14:01	experienced with AK-47s, so I got to touch a lot		
14:02	of different weapons --		
14:03	Q. Okay.		
14:04	A. -- while I was with special		
14:05	operations.		
14:06	Q. Was that your last position in the		
14:07	military?		
14:08	A. No. That wasn't my last position.		
14:09	I left that position and went back to the Fleet		
14:10	Marine Force at Camp Lejeune.		
14:11	Q. What did you do there?		
14:12	A. I was in the infantry battalion		
14:13	there.		
14:14	Q. Did you go overseas for combat or		
14:15	service of any kind?		
14:16	A. Yeah. Before that -- yeah. Before		
14:17	I went to special operations, I served with 2nd		
14:18	battalion 3rd Marines out of Hawaii where we		
14:19	participated in Desert Storm.		
14:20	Q. Okay. All right. What kind of		
14:21	sidearms are you -- were you experienced with		
14:22	during that service that you've just described?		
14:23	A. The Beretta 92F. That's the one		
14:24	that was pretty much the handgun at the time that		
15:01	I -- that was used by the military while I was in.		
15:02	Q. That was a hammer-fired pistol?		
15:03	A. Yes. It was -- yeah. It's		
15:04	actually -- doesn't have the internal trigger like		
15:05	you have with the Glocks and the --		
15:06	Q. Did you use any striker-fired		

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DESIGNATION	SOURCE	DURATION	ID
	15:07 pistols in the military?		
	15:08 A. Excuse me?		
	15:09 Q. Did you use any striker-fired		
	15:10 pistols or sidearms in the military when you were		
	15:11 in?		
	15:12 A. No.		
	15:13 Q. No?		
	15:14 A. No.		
	15:15 Q. Okay.		
	15:16 A. I didn't come into contact with		
	15:17 that until after I got out of the military.		
	15:18 Q. How long in total was your military		
	15:19 service?		
	15:20 A. About 17 years.		
	15:21 Q. And when was the last year? When		
	15:22 did you get out?		
	15:23 A. I got out in '95.		
	15:24 Q. Okay. After you got out in 1995,		
	16:01 is it accurate that you moved over to law		
	16:02 enforcement?		
	16:03 A. Yes. I had -- I had one year down.		
	16:04 I actually went through the process and got into		
	16:05 the -- went into the academy February, February of		
	16:06 1997.		
	16:07 Q. Which academy? Was that for the		
	16:08 police academy or some other kind?		
	16:09 A. Philadelphia Police Academy.		
	16:10 Q. Philadelphia Police Academy. And		
	16:11 you graduated from that?		
	16:12 A. Yes, sir.		
	16:13 Q. Where did you -- where did you go		
	16:14 after graduating there?		
	16:15 A. After that, I went to SEPTA Police		
	16:16 Department as a patrol officer.		
	16:17 Q. SEPTA did you say? SEPTA?		
	16:18 A. Yes.		
24:12 - 25:23	Jacklyn, Craig 2021-04-14	00:02:03	OSI2V2.2
	24:12 Q. What's your current position right		
	24:13 now, Officer, with SEPTA?		
	24:14 A. Right now, I'm with SEPTA special		

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DESIGNATION	SOURCE	DURATION	ID
24:15	operations, counterterrorism also known as Viper		
24:16	unit. I've been with them since -- with this unit		
24:17	since 2015.		
24:18	Q. Any special training to obtain that		
24:19	position?		
24:20	A. Well, we -- generally looked at as		
24:21	far as your work history, dependability, the		
24:22	ability to work with very little supervision.		
24:23	In addition to that, once you get		
24:24	to the unit, you know, they send you to -- there's		
25:01	training that they send you to, to train with the		
25:02	U.S. Marshals with the Viper unit from the		
25:03	airport.		
25:04	That has to do with protecting		
25:05	citizens, mass transit in flight. Sky marshals,		
25:06	they used to be called sky marshals.		
25:07	Q. In your years of service for SEPTA,		
25:08	Officer, have you been given any commendations or		
25:09	awards?		
25:10	A. I received commendations, you know,		
25:11	for good jobs. The most significant one was in		
25:12	2014 I was recognized as officer of the year.		
25:13	Q. In 2014?		
25:14	A. Yes.		
25:15	Q. As you're sitting here right now,		
25:16	Officer, how many years of experience do you have		
25:17	handling and firing firearms? And by firearms, I		
25:18	include pistols and rifles.		
25:19	A. I was raised around them. My		
25:20	father was a Special Forces operator during the		
25:21	Vietnam era. He taught myself and my brother how		
25:22	to use guns before I even joined the military, so		
25:23	if I include that, it's been a lifetime.		
26:03 - 29:03	Jacklyn, Craig 2021-04-14	00:03:50	OSI2V2.3
26:03	I want to move to the incident that		
26:04	we're all here to talk about and this occurred		
26:05	August 26, 2019. Is that correct? Do you recall		
26:06	this incident?		
26:07	A. Yes. I recall it.		
26:08	Q. It was at the Suburban Station,		

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DESIGNATION	SOURCE	DURATION	ID
	26:09 1500 JFK concourse?		
	26:10 A. Yes.		
	26:11 Q. Can you describe what you were		
	26:12 doing, you know, let's say, let's say, you know,		
	26:13 half an hour before the incident happened? Can		
	26:14 you describe what you and your partner were doing?		
	26:15 I understand you were on a SEPTA		
	26:16 golf cart. Just a general explanation of what		
	26:17 your role and duties were at that time.		
	26:18 A. As a Viper team member, part of the		
	26:19 mandate is to patrol during peak hours, look for		
	26:20 anomalies as part of the counterterrorism mission.		
	26:21 So we were tasked with patrolling		
	26:22 the regional rail station and basically that's --		
	26:23 we were riding around. We're looking for		
	26:24 anomalies or anything out of place, but we'll also		
	27:01 answer calls and helping doing basic patrol work.		
	27:02 So that's pretty much what my partner and I were		
	27:03 doing at the time in the station.		
	27:04 Q. And your partner's name?		
	27:05 A. Richard McDowell.		
	27:06 Q. How long had you two been partners		
	27:07 in SEPTA?		
	27:08 A. Since I joined the unit.		
	27:09 Q. So quite some time?		
	27:10 A. Since 2015.		
	27:11 Q. Okay. All right. So you're in a		
	27:12 golf cart. Is that -- what do you call the -- I		
	27:13 call it a golf cart. What's the terminology for		
	27:14 SEPTA?		
	27:15 A. Police cart.		
	27:16 Q. Police cart. Now, what kind of		
	27:17 pistols are you carrying at the time?		
	27:18 A. At the time, we were carrying the		
	27:19 P320, the SIG Sauer.		
	27:20 Q. When had those been issued to you?		
	27:21 A. We had two issuances of that		
	27:22 pistol. The first one we had, I don't remember		
	27:23 exactly what year it was that we got that.		
	27:24 We had switched out from that SIG		
	28:01 Pro and then we went to the P320. At some point,		

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DESIGNATION	SOURCE	DURATION	ID
	28:02 there was a question about the safety of the		
	28:03 weapon or there may be some type of problem with		
	28:04 it and we were told that we were getting an		
	28:05 upgraded version, which we got.		
	28:06 Q. So you had a SIG Pro model first?		
	28:07 A. Right. That was my first		
	28:08 introduction into the SIG Sauer brand.		
	28:09 Q. Was that a hammer-fired gun do you		
	28:10 know?		
	28:11 A. I'm not sure. I believe it was.		
	28:12 Q. And so then the department		
	28:13 transitions to P320s. Do you know when that was		
	28:14 approximately, what time frame?		
	28:15 A. No. I can't tell you what year		
	28:16 that was.		
	28:17 Q. Was the P -- okay. I'm sorry. Was		
	28:18 the P320 the first striker-fired pistol that you		
	28:19 had handled or encountered in your career?		
	28:20 A. In my professional career, yes, but		
	28:21 it wasn't the first weapon, striker-fired weapon,		
	28:22 that I ever owned or had contact with at that		
	28:23 point.		
	28:24 Q. What other kinds were you familiar		
	29:01 with?		
	29:02 A. Well, I had my off-duty weapon that		
	29:03 I carry was a Glock.		
30:21 - 32:15	Jacklyn, Craig 2021-04-14	00:02:00	OSI2V2.4
	30:21 Q. All right. So going back to the		
	30:22 cart on August 19th -- wait a minute -- 26th, you		
	30:23 and Officer McDowell, at some point you're in the		
	30:24 concourse moving towards the area where you will		
	31:01 stop near a beauty store.		
	31:02 Have you seen camera video of this		
	31:03 -- of that movement?		
	31:04 A. Yes.		
	31:05 Q. In what context? And where did you		
	31:06 see it?		
	31:07 A. I saw it after -- I believe it was		
	31:08 sometime after I had already given my statement		
	31:09 and -- either that evening or maybe the next day.		

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DESIGNATION	SOURCE	DURATION	ID
	31:10 Q. Were you driving the cart that day?		
	31:11 A. Yes, I was.		
	31:12 Q. Did you -- is that something you		
	31:13 did routinely?		
	31:14 A. My partner and I, we switch off and		
	31:15 on, yeah, but it's pretty much a regular, you		
	31:16 know, thing where he and I are working together,		
	31:17 one of us is driving. It just happened to be my		
	31:18 time at that particular moment.		
	31:19 Q. And it's about six o'clock on a --		
	31:20 was it a Friday?		
	31:21 A. Was it a Friday? I'm not -- I		
	31:22 don't remember.		
	31:23 Q. Okay. Do you remember it was about		
	31:24 six o'clock rush hour-ish?		
	32:01 A. Right. It was.		
	32:02 Q. And it was the Suburban Station.		
	32:03 Correct?		
	32:04 A. Yes.		
	32:05 Q. What kind of -- where are you		
	32:06 carrying your P320 when you're in the cart?		
	32:07 A. At that time, Viper unit was		
	32:08 carrying a leg holster, so it was a holster that's		
	32:09 strapped to our thigh. Mine was on my right		
	32:10 thigh.		
	32:11 Q. You're a right-handed shooter?		
	32:12 A. Yes, I am.		
	32:13 Q. Officer McDowell, was his on his		
	32:14 right side also?		
	32:15 A. Yes.		
33:03 - 33:14	Jacklyn, Craig 2021-04-14	00:00:31	OSI2V2.5
	33:03 Q. I'm asking why or was your body cam		
	33:04 on at that point?		
	33:05 A. My body camera wasn't on. There		
	33:06 wasn't any need for it to be on at that particular		
	33:07 time while I was patrolling.		
	33:08 Q. When would you put your body cam on		
	33:09 typically?		
	33:10 A. Body cam goes on when there's an		
	33:11 incident. If we see that there's a situation		

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DESIGNATION	SOURCE	DURATION	ID
	33:12 developing, we turn our body camera on. If		
	33:13 there's an incident that occurs and we respond to		
	33:14 it, our body cam goes on.		
36:17 - 37:21	Jacklyn, Craig 2021-04-14	00:01:13	OSI2V2.6
	36:17 Q. All right. Officer, I want to go		
	36:18 back again to the -- to the police cart that		
	36:19 you're in that day.		
	36:20 You're going down a concourse with		
	36:21 Officer McDowell on your right. You were driving.		
	36:22 Correct?		
	36:23 A. Yes.		
	36:24 Q. I think you said your holstered		
	37:01 P320 is on your right side?		
	37:02 A. Yes. It's on my right thigh.		
	37:03 Q. Is that a tactical holster?		
	37:04 A. Yes, it is.		
	37:05 Q. Is it also known as a drop holster		
	37:06 in your experience?		
	37:07 MR. KELLY: Objection. Leading.		
	37:08 BY MR. BAGNELL:		
	37:09 Q. Have you heard that term?		
	37:10 A. Yes, I have.		
	37:11 Q. Okay. What's the advantage of a		
	37:12 tactical holster in the performance of your		
	37:13 duties?		
	37:14 A. For some intruders, it's more		
	37:15 accessible. It comes from the draw. For me, I		
	37:16 prefer that. It wasn't mandatory. We have		
	37:17 officers that sometimes prefer their weapon		
	37:18 directly on their hip.		
	37:19 Q. So your weapon that day was		
	37:20 midthigh area. Is that correct?		
	37:21 A. Yes.		
41:12 - 42:02	Jacklyn, Craig 2021-04-14	00:00:39	OSI2V2.7
	41:12 Q. And anything like that happen to		
	41:13 you before in your law enforcement or military		
	41:14 career?		
	41:15 A. Absolutely not.		
	41:16 Q. What was your -- what was your		
	41:17 personal reaction to the discharge?		

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DESIGNATION	SOURCE	DURATION	ID
	<p>41:18 A. I've been handling weapons, like I</p> <p>41:19 said, since I was a kid. I know all the safety</p> <p>41:20 rules. I've taught weapons handling, the whole</p> <p>41:21 nine yards.</p> <p>41:22 I was stunned that it happened. I</p> <p>41:23 would have never -- if I'd have read the story</p> <p>41:24 somewhere, I would have never believed that a</p> <p>42:01 person was safely handling the weapon that this</p> <p>42:02 could actually happen.</p>		
43:11 - 44:03	Jacklyn, Craig 2021-04-14	00:00:50	OSI2V2.8
	<p>43:11 Was it</p> <p>43:12 holstered at that time?</p> <p>43:13 A. Yes.</p> <p>43:14 Q. Fully holstered?</p> <p>43:15 A. Yes.</p> <p>43:16 Q. Was the gun, you know, coming out</p> <p>43:17 backwards from the holster to any extent?</p> <p>43:18 A. No. It was sitting there just as</p> <p>43:19 it, you know, I had -- it was sitting there just</p> <p>43:20 as I had put it in there originally at the</p> <p>43:21 beginning of the day.</p> <p>43:22 The only difference that I noticed</p> <p>43:23 afterward was that there's a small kind of like</p> <p>43:24 some type of seal or shaped like a large button at</p> <p>44:01 the bottom of the holster that I was carrying that</p> <p>44:02 was -- that actually was blown out and that was</p> <p>44:03 found nearby the front of the cart.</p>		
45:02 - 45:13	Jacklyn, Craig 2021-04-14	00:00:16	OSI2V2.9
	<p>45:02 At any time were you playing with</p> <p>45:03 your holstered gun?</p> <p>45:04 A. No.</p> <p>45:05 Q. At any time did you impact it</p> <p>45:06 roughly in any fashion?</p> <p>45:07 A. No.</p> <p>45:08 Q. Did you draw the weapon or attempt</p> <p>45:09 to withdraw it in any fashion?</p> <p>45:10 A. No.</p> <p>45:11 Q. Did you try to get at the trigger</p> <p>45:12 in any way?</p> <p>45:13 A. No.</p>		

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DESIGNATION	SOURCE	DURATION	ID
49:23 - 50:13	Jacklyn, Craig 2021-04-14	00:00:41	OSI2V2.14
49:23	Q. Was the incident investigated,		
49:24	Officer?		
50:01	A. Yes. It was investigated by		
50:02	Philadelphia police. They were the primary		
50:03	investigative agency. They were the only ones		
50:04	that questioned me about what had happened.		
50:05	Q. What was the result of the		
50:06	investigation to your knowledge?		
50:07	A. I was -- everything -- according to		
50:08	their measurements, everything that they did, they		
50:09	verified it with what I had told them and I went		
50:10	back to work the next day.		
50:11	Q. Is it -- is it accurate to say that		
50:12	you were exonerated --		
50:13	A. Absolutely.		
62:01 - 63:21	Jacklyn, Craig 2021-04-14	00:02:26	OSI2V2.10
62:01	Q. I get it. And when the round went		
62:02	off, you were in the process of getting off of the		
62:03	police cart. Right?		
62:04	A. Yes.		
62:05	Q. And did you continue and get fully		
62:06	upright standing on the -- in the corridor as the		
62:07	round went off?		
62:08	A. Yeah. I continued to -- like I		
62:09	said, as I was getting out of the vehicle, that's		
62:10	when I heard the pop.		
62:11	I continued to get out of the		
62:12	vehicle to check to see if there was any tires		
62:13	blown out.		
62:14	Q. Okay. And do I understand that you		
62:15	used both hands to boost yourself off of the		
62:16	steering wheel to help get out?		
62:17	A. Yes.		
62:18	Q. And I think you said that you had a		
62:19	lot of gear on you or on the belt. Is that		
62:20	correct?		
62:21	A. We carry -- yeah. We carry a lot		
62:22	of gear.		
62:23	Q. Okay. And do you carry it all on a		

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	62:24 belt?		
	63:01 A. No. I had similar to what I have		
	63:02 on today, a body armor that's on the outside where		
	63:03 we carry other gear as well to keep a lot of our		
	63:04 gear off of our hips.		
	63:05 Q. Off of your hips?		
	63:06 A. Yeah.		
	63:07 Q. And do you still have a belt around		
	63:08 your hip or did you still have a belt around your		
	63:09 hip as you were getting out of the police cart?		
	63:10 A. Yes.		
	63:11 Q. And is the drop holster that you		
	63:12 talked about connected to the belt on your hip?		
	63:13 A. Yes.		
	63:14 Q. So it's suspended from the belt on		
	63:15 your hip?		
	63:16 A. Yes.		
	63:17 Q. And what other gear did you have on		
	63:18 your belt at that time?		
	63:19 A. I had OC spray, an asp, handcuffs,		
	63:20 keys and that's about it. Excuse me. My ammo		
	63:21 pouches that are worn like this here.		
66:03 - 67:22	Jacklyn, Craig 2021-04-14	00:02:38	OSI2V2.11
	66:03 Q. Could you estimate for me how far		
	66:04 below the belt it was to get to the top of the		
	66:05 drop holster?		
	66:06 A. I could stand up and show you from		
	66:07 the side view. You'll get a better understanding.		
	66:08 Q. That would be fine. I should have		
	66:09 asked you while you were still up, but I		
	66:10 appreciate it.		
	66:11 A. I have the drop holster in my hand.		
	66:12 My hand that's up right now is on my hip. At that		
	66:13 time, it was about -- see where my hand is here?		
	66:14 Q. Yes.		
	66:15 A. So from the belt down to here		
	66:16 (witness indicating).		
	66:17 Q. Okay. Could you -- and was the		
	66:18 holster located where your fingers are or where		
	66:19 your wrist was or your palm?		

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	66:20 A. Well, where my hand is at right		
	66:21 here --		
	66:22 Q. Yes.		
	66:23 A. -- I could touch my -- the back		
	66:24 strap of my weapon, so I could operate everything		
	67:01 here. It was the holster was a triple retention		
	67:02 holster, so there was three different ways to keep		
	67:03 it safe and I had to manipulate it to get the gun		
	67:04 out.		
	67:05 Q. Okay. What were the three forms of		
	67:06 retention of the holster?		
	67:07 A. All right. The first part is a		
	67:08 thumb slide that when you stick your finger in,		
	67:09 you -- first is the back strap. The back strap,		
	67:10 you hit the -- the back strap, it protects the		
	67:11 rear of the magazine. That has to be -- that gets		
	67:12 pushed forward.		
	67:13 Then there's a place that you have		
	67:14 to touch on the side of the holster that you push		
	67:15 in and you use it to pull it out.		
	67:16 The third one, I believe, is just		
	67:17 -- it's locked in there. I don't recall exactly		
	67:18 what the third part. It could be just a back		
	67:19 strap. The back strap, once that pops up, then		
	67:20 you hit the button and then there's a little lever		
	67:21 on the side bar where your trigger guard is at.		
	67:22 You touch that and it comes out.		
73:04 - 74:17	Jacklyn, Craig 2021-04-14	00:01:34	OSI2V2.12
	73:04 Q. I want to ask a couple questions --		
	73:05 and believe me, I'm getting there, but I want to		
	73:06 ask you a couple questions about the equipment		
	73:07 that you had that day.		
	73:08 First of all, was the P320 that you		
	73:09 had equipped with a light?		
	73:10 A. Yes.		
	73:11 Q. It had a stream light on it or a		
	73:12 flashlight that's --		
	73:13 A. Right. Attached to lower rail.		
	73:14 Q. Okay. In other words, under the		
	73:15 barrel. Correct?		

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DESIGNATION	SOURCE	DURATION	ID
	73:16 A. Yes.		
	73:17 Q. And do you recall the make and		
	73:18 model of the light?		
	73:19 A. No.		
	73:20 Q. Was that light issued to you by the		
	73:21 department?		
	73:22 A. Yes.		
	73:23 Q. Okay. So it's not something you		
	73:24 ordered for yourself?		
	74:01 A. No.		
	74:02 Q. Was the holster that you used also		
	74:03 issued to you by the department?		
	74:04 A. No.		
	74:05 Q. Did you buy that yourself?		
	74:06 A. Yes.		
	74:07 Q. Okay. And was that a Safariland		
	74:08 SLS tactical leg holster?		
	74:09 A. Yes. That's exactly what it was.		
	74:10 Q. And was it specifically designed to		
	74:11 accommodate the stream light that was to be		
	74:12 attached to the pistol?		
	74:13 A. Yes.		
	74:14 Q. In other words, if you have that		
	74:15 stream light attached to your pistol, you need		
	74:16 more room in the holster. Correct?		
	74:17 A. Yes.		
86:22 - 87:08	Jacklyn, Craig 2021-04-14	00:00:30	OSI2V2.13
	86:22 Q. And is it also your understanding		
	86:23 that the weapon was tested and found to be in		
	86:24 normal operating condition?		
	87:01 A. Yes.		
	87:02 Q. And found to be nondefective by the		
	87:03 Philadelphia Police Department armorer. Is that		
	87:04 correct?		
	87:05 MR. BAGNELL: Object to the form.		
	87:06 THE WITNESS: What was told to me		
	87:07 was that all the parts were in working		
	87:08 order.		

OSI2V2 - Craig Jacklyn - Stipulated

Stipulated Designations	00:23:48
Objected Designations	00:00:41
TOTAL RUN TIME	00:24:30